



Docket No. 033964-1120

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|  |                              |
|--|------------------------------|
| In re Patent Application of:                                       | ) Confirmation No. 7946      |
| J. Neil GLEASON et al.   | ) Group Art Unit: 3764       |
| Application No. 10/805,033   | ) Examiner: Michael A. Brown |
| Filed: March 19, 2004  | )                            |
| For: METHOD AND APPARATUS FOR<br>PROVIDING HOT AND COLD<br>MASSAGE | ) Date: October 27, 2006     |

**AMENDMENT**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated June 27, 2006, please amend the above-identified application and consider Applicants' remarks as follows.

A Petition for a one-month extension of time under 37 C.F.R. § 1.136(a) extending the period for response through October 27, 2006, accompanies this reply. Any fees required for extensions of time are hereby authorized to be charged to Deposit Account No. 19-2380.

Any fees required for the net addition of claims are hereby authorized to be charged to Deposit Account No. 19-2380.



|  |                          |                                  |
|--|--------------------------|----------------------------------|
| <b>FEE TRANSMITTAL</b><br><b>For FY 2006</b>                                   | <i>Complete if Known</i> |                                  |
|  | Application Number       | 10/805,033                       |
|  | Filing Date              | March 19, 2004                   |
|  | First Named Inventor     | J. Neil GLEASON, et al.          |
|  | Examiner Name            | Michael A. Brown                 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | Art Unit                 | 3764                             |
| <b>TOTAL AMOUNT OF PAYMENT</b> (\$)  | Attorney Docket No.      | 033964-1120 (Customer No. 54945) |

**METHOD OF PAYMENT** (check all that apply)

☐ Check   ☐ Credit Card   ☐ Money Order   ☐ None   ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account   Deposit Account Number: 19-2380   Deposit Account Name: Nixon Peabody LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below   ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17   ☒ Credit any overpayments

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-20238.

**FEE CALCULATION**

**1. BASIC FILING, SEARCH AND EXAMINATION FEES**

| Application Type | FILING FEES |                                 | SEARCH FEES |                                 | EXAMINATION FEES |                                 | Fees Paid (\$) |
|------------------|-------------|---------------------------------|-------------|---------------------------------|------------------|---------------------------------|----------------|
|                  | Fee (\$)    | <u>Small Entity</u><br>Fee (\$) | Fee (\$)    | <u>Small Entity</u><br>Fee (\$) | Fee (\$)         | <u>Small Entity</u><br>Fee (\$) |                |
| Utility          | 300         | 150                             | 500         | 250                             | 200              | 100                             | _____          |
| Design           | 200         | 100                             | 100         | 50                              | 130              | 65                              | _____          |
| Plant            | 200         | 100                             | 300         | 150                             | 160              | 80                              | _____          |
| Reissue          | 300         | 150                             | 500         | 250                             | 600              | 300                             | _____          |
| Provisional      | 200         | 100                             | 0           | 0                               | 0                | 0                               | _____          |

**2. EXCESS CLAIM FEES**

| Fee Description   | Fee (\$) | <u>Small Entity</u><br>Fee (\$) |
|---|----------|---------------------------------|
| Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent            | 50       | 25                              |
| Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent | 200      | 100                             |
| Multiple document claims  | 360      | 180                             |

**Total Claims**   20   - 20 or HP = 1   x   \$50   =   \$50

HP = highest number of total claims paid for, if greater than 20

**Indep. Claims**   3   - 3 or HP = 0   x   0   =   0

HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets  | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|---------------|--|----------|---------------|
| _____        | - 100 = _____ | / 50 = _____ (round up to a whole number)        | x _____  | = _____       |

**4. OTHER FEE(S)**

Non-English Specification,   \$130 fee (no small entity discount)   \_\_\_\_\_

Other: \_\_\_\_\_

|                     |                      |                                   |                  |
|---------------------|----------------------|-----------------------------------|------------------|
| <b>SUBMITTED BY</b> |                      |                                   |                  |
| Signature           |                      | Registration No. (Attorney/Agent) | 36,092           |
| Name (Print/Type)   | Tim L. Brackett, Jr. | Telephone                         | (202) 585-8000   |
|                     |                      | Date                              | October 27, 2006 |